

210257

RECEIVED

TSA-2001-10999-55-

09 December 2002

Docket Management System  
U.S. Department of Transportation  
Room Plaza 401  
400 Seventh Street, SW  
Washington, DC 20590

Re: Final Rule 14 CFR, parts 107 and 108

Dear Sir/Madam:

Please accept this comment regarding final rule 14 CFR Parts 107 & 108, Criminal History Records Checks. I am proposing amending this rule.

This final rule requiring each airport operator and aircraft operator to submit to fingerprint-based Criminal History Checks (CHRC's) was adopted without prior notice and prior public comment shortly after the terrorist attack on September 11, 2001. I believe this was a haste reaction by the FAA without taking important factors in to consideration. The FAA did not consider how the existing airport and aircraft employees might be affected by the regulation.

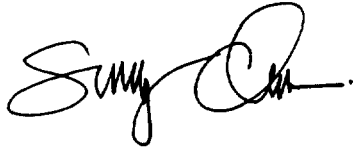
My main objection is that this rule makes no allowance for any exceptions if an employee has a conviction of a crime prior to the effective date, but had been a good, dedicated, hardworking member of staff. That same employee, prior to being hired, had to go through a background check provided by his employer and was judged by his employer and the FAA to hold no risk to the security of the operation. Now, because of this new regulation, he will no longer have access to his work place and his livelihood.

While I agree that it is wise and safe to take security precautions when hiring new employees, it is simply unfair that existing employees will get suspended or terminated from jobs they had been performing well before this final rule was implemented. This rule should be amended to provide some way to allow such employee to establish that his past record does not impact airport/ aircraft security.

It is unfair to put the burden expense and time of conducting the CHRC's on all existing and future employees on the airport/aircraft operators. It will make more economic sense to require CHRC's on new employees rather than including current employees who've already be screened. I urge you to amend the rule to at least provide some protection for good, dedicated employees who may have a conviction on their record. They should be allowed to retain their position in the company if they pose no threat to the public or the security of operation of aviation.

Thank you for considering my comments on this final rule and I hope this rule will be amended.

Sincerely,

A handwritten signature in black ink, appearing to read "Sunny Chase". The signature is fluid and cursive, with a horizontal line extending from the end.

Sunny Chase  
Student of Aviation Operation  
Aviation Center of Excellence (ACE)  
Cecil Commerce Center  
13450 Lake Fretwell St.  
Jacksonville, FL 32215  
904.997.2800